

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NECO MURRAY,

Plaintiff(s),

vs.

PACIFIC ARCHITECTS AND ENGINEERS,
 INC., et al.,

Defendant(s).

Case No. 2:15-cv-0087-GMN-NJK

ORDER

(Docket No. 37)

Pending before the Court is Defendant C. Martin Company's motion to compel, filed on an emergency basis. Docket No. 37. Plaintiff filed a response. Docket No. 39. The Court finds that a reply is not necessary to resolve the motion. The Court also finds that a hearing on the motion is not necessary. *See* Local Rule 78-2. The motion to compel is hereby **GRANTED**. More particularly, to the extent he has not already done so, Plaintiff is required to produce all documents responsive to the requests for production no later than October 15, 2015. Plaintiff shall also respond to the interrogatories without objection no later than October 15, 2015.

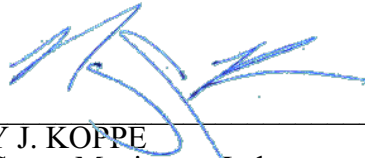
The request for attorneys' fees is hereby **DENIED** without prejudice. The parties shall meet-and-confer on whether attorneys' fees are appropriate and, if so, an amount of attorneys' fees that should be provided. If the parties cannot come to a resolution, Defendant may file a motion for attorneys' fees no later than October 15, 2015. That motion must be complete and comply with all local rules. In the circumstances of this case, the Court further requires the following specific information to be provided: (1) an explicit indication whether the attorneys' fees are sought against Plaintiff, Plaintiff's counsel, or

1 both, *see* Fed. R. Civ. P. 37(a)(5)(A) (attorneys' fees may be imposed against a party, his attorney, or
2 both"); and (2) an explicit indication of the date on which the documents referenced in Plaintiff's
3 response were produced.

4 Lastly, Plaintiff's response includes a counter-motion filed by his attorney to withdraw. *See*
5 Docket No. 39 at 4-5. Presenting that request within the response to the motion to compel was
6 improper. *See, e.g.*, Special Order No. 109, Section III.F.4. Accordingly, the counter-motion is hereby
7 **DENIED** without prejudice. Plaintiff's counsel may renew that motion through a properly-filed motion.
8 The Court reminds Plaintiff's counsel that notwithstanding his filing of any renewed motion, he remains
9 Plaintiff's counsel in this case responsible for meeting all deadlines unless and until any such motion
10 is granted.

11 IT IS SO ORDERED.

12 DATED: October 8, 2015



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14 NANCY J. KOPPE
United States Magistrate Judge